

REMARKS

Applicant thanks the Examiner and his supervisor for the courtesy extended during the telephone interview dated March 5, 2009, in which the claims and the Karas patent publication were discussed. Applicant notes that the invention described in this patent application has been licensed by the Assignee of this patent application to several merchants in implementing loyalty cards that enable stored product functionality.

The comments of the Applicant below are each preceded by related comments of the Examiner in the Office Action dated December 10, 2008 (in small, bold type).

As per Claim 1: KARAS teaches: A method comprising: receiving from a first terminal, information indicating that one or more products have been pre-paid;
(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;)

receiving, from the first terminal, a first unique identifier associated with an electronic wallet;

(See at least " ...the user enters an e-mail address as the unique identifier for the account... ¶61;)

adding the one or more pre-paid products to the electronic wallet;

(See at least" ...the enabler interface produces the form web pages and information web pages to allow the user to create and maintain their account, transfer money, select electronic gifts, and learn to use the system... ¶40;)

storing the electronic wallet information in a central database;

(See at least" ... any account information on the sender and receiver is stored in the user database ... ¶43;)

receiving from the first terminal or a second terminal a second unique identifier and a request to redeem a second product;

(See at least" ...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also" ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51;)

verifying that the second unique identifier matches the first unique identifier, and that the second product matches one of the one or more pre-paid products in the electronic wallet;

See at least" ...To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51 see also ¶¶32, 57, see also Claim 5)

and sending approval of redemption of the second product to enable a user to redeem the second product at the first or second terminal.

(See at least" ...the receiver redeems the electronic gift after receiving it in the card... "¶19 see also " ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... "¶51)

Claim 1

Karas does not describe and would not have made obvious receiving, from a first terminal, information indicating that one or more physical products have been pre-paid and adding the one or more pre-paid physical products to an electronic wallet associated with a physical card, as recited in amended claim 1.

Karas discloses an on-line greeting and gift system 100 that allows a sender of an eCard to select an electronic gift and embed the electronic gift in an electronic greeting card (paragraph 19). Karas provides examples of electronic gifts, including a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument. The electronic gifts of Karas are not "physical products" as recited in claim 1.

Moreover, Karas does not disclose or suggest adding the one or more pre-paid physical products to an electronic wallet associated with the physical card, as recited in claim 1. The eCard in Karas is different from a physical card.

Regarding claim 2, Karas discloses that the sender may specify a gift certificate where the money is limited to merchandise or services from specified retailer(s). A gift certificate that is limited for use on merchandise or services from specified retailer(s), as disclosed in Karas, is different from a specific item of a restaurant menu, as recited in claim 2.

Regarding claim 3, a gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a product associated with a specific stock keeping unit (SKU).

Regarding claim 4, a gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a family of items of a restaurant menu.

Regarding claim 5, a gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a pre-paid product that is associated with a family of SKU items.

Regarding claim 6, a gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a pre-paid product that comprises a category of products.

Regarding claim 7, a gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a pre-paid product that comprises a plurality of families of products.

Regarding claim 8, a gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a pre-paid product that comprises a plurality of SKU items.

Regarding claim 11, Karas does not disclose or suggest “rules” that specify which pre-paid products are redeemable at the time and the location of the second point-of-sale. Karas merely discloses that a receiver of an electronic gift can redeem the electronic gift.

Regarding claim 13, Karas does not disclose or suggest adding a pre-paid dollar discount of a plurality of items to the electronic wallet. None of the electronic gifts disclosed in Karas provides a pre-paid dollar discount of a plurality of items.

Regarding claim 14, Karas does not disclose or suggest adding a pre-paid percentage discount of an item or a plurality of items to the electronic wallet. None of the electronic gifts disclosed in Karas provides a pre-paid “percentage discount” of an item or a plurality of items.

Regarding claim 18, Karas does not disclose or suggest receiving messages indicating that the one or more pre-paid products have been added to a check, performing a check-level reconciliation, and automatically removing any products that have been added to the check but had not actually been paid for. Karas discloses purchasing and redeeming electronic gifts. The methods for paying for the electronic gifts described in Karas have nothing to do with checks, check-level reconciliation, or removal of products that had not actually been paid for.

As per Claim 26: KARAS teaches: A system comprising; a point-of-sale (POS) terminal comprising a POS database having information about products that are available for purchase or redemption at the POS terminal,

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;) see also ("... any account information on the sender and receiver is stored in the user database ... ¶43;)

a first user interface to enable a seller to enter information indicating that a customer has pre-paid one or more products and send messages to a central server to store the one or more products in an electronic wallet associated with the customer,

(See at least" ...the enabler interface produces the form web pages and information web pages to allow the user to create and maintain their account, transfer money, select electronic gifts, and learn to use the system... ¶40;) see also (" ... any account information on the sender and receiver is stored in the user database ... ¶43;)

and a second user interface to receive messages from the central server indicating one or more pre-paid products in the electronic wallet that are redeemable by the customer.

(See at least" ...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also " ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51)

Karas does not describe and would not have made obvious a POS terminal comprising a POS database having information about physical products that are available for purchase or redemption at the POS terminal, and a user interface to enable a seller to enter information

indicating that one or more “physical products” have been pre-paid and send messages to a central server to store information about the one or more physical products in an electronic wallet associated with a unique identifier of a “physical card,” as recited in amended claim 26.

Karas discloses embedding electronic gifts in electronic greeting cards (paragraph [0019]). The electronic gifts in Karas are different from the physical products recited in claim 1. The eCard in Karas is also different from a physical card, as recited in claim 1.

Regarding claim 27, Karas discloses using the e-mail address for the eCard to be used to configure an account, but that is unrelated to rules for selecting one of a plurality of products in the POS database that corresponds to a pre-paid product in the electronic wallet when the pre-paid product represents a product category that corresponds to more than one product in the POS database.

Regarding claim 28, a gift certificate where the money is limited to merchandise or services from specified retailer(s) as disclosed in Karas is different from an entrée that corresponds to a plurality of items in a restaurant menu in the POS database.

Regarding claim 29, using an e-mail address to verify identity is unrelated to real-time rules for adding rewards to or removing rewards from the electronic wallet based on conditions at the time of transaction.

As per Claim 32: KARAS teaches: A method comprising: receiving information indicating that a first product has been pre-paid, the first product representing a family of products;

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;)

receiving a first unique identifier; adding the first product to an electronic wallet associated with the first unique identifier;

(See at least " ...the user enters an e-mail address as the unique identifier for the account... ¶61;)

receiving a second unique identifier and a request to redeem a second product;
(See at least" ...the receiver redeems the electronic gift after receiving it in the card... "¶19 see also " ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... "¶51)

verifying that the second unique identifier matches the first unique identifier;
See at least" ... To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... " ¶51 see also " ¶¶32, 57, see also Claim 5)

processing the request to redeem the second product using a set of rules to verify that the second product is within the family of products associated with the first product;
(See at least" ...the receiver redeems the electronic gift after receiving it in the card... "¶19 see also " ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... "¶51)

and sending approval of redemption of the selected product.
(See at least" ...the receiver redeems the electronic gift after receiving it in the card... "¶19 see also " ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... "¶51)

Karas does not describe and would not have made obvious processing the request to redeem the second product using a set of rules to verify that the second product is within the family of products associated with the first product, as recited in amended claim 32.

Karas discloses using an e-mail address to verify identity, but that is unrelated to rules to verify that the second product is within the family of products associated with the first product. In Karas, the electronic gift redeemed by the receiver 130 is the same as the electronic gift purchased by the sender 110. Since the electronic gift being redeemed is the same as the electronic gift that was purchased, there is no need in Karas to use a set of rules to verify that the second product is within the family of products associated with the first product, as recited in claim 32.

Regarding claim 33, an electronic gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a food category that comprises a family of specific food products.

Regarding claim 34, an electronic gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a category of restaurant menu items that comprise a plurality of specific restaurant menu items.

Regarding claim 35, a computer 120 that allows a receiver 130 to interact with the eCard site 140 as disclosed in Karas is different from a point-of-sale terminal at a restaurant.

Regarding claim 36, Karas discloses rules for verifying identity of the sender 110 or receiver 130, but does not disclose or suggest rules for verifying that the second product is within the family of products associated with the first product, in which the rules are specific to at least one of a user who requests to redeem a product, a store where the request to redeem a product originates, a merchant associated a product to be redeemed, or a time when a request to redeem a product is made.

As per Claim 37: KARAS teaches: A system comprising; a point-of-sale (POS) terminal comprising a user interface to enable a customer to redeem products in an electronic wallet associated with the customer,

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19; see also ("... any account information on the sender and receiver is stored in the user database ... ¶43; see also ("...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also" ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51)

a POS database having information about a plurality of products that are available for redemption at the POS terminal, and rules about selecting a product from the plurality of products in response to a request to redeem a first product in the electronic wallet that corresponds to a plurality of specific products in the POS database,

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency

credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19; see also ("... any account information on the sender and receiver is stored in the user database ... ¶43; see also ("...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also" ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51)
and a processor to select a specific product in the pas database for redemption according to the rules.

(See at least" ...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also" ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51 see also ("... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20

Karas does not describe and would not have made obvious a point-of-sale (POS) terminal including a POS database having rules about selecting a product from the plurality of products in response to a request to redeem a first product in the electronic wallet that corresponds to a plurality of specific products in the POS database.

In Karas, the electronic gift that can be redeemed by the receiver is the same as the product that was purchased by the sender. Karas does not disclose or suggest that the sender can send an electronic gift that corresponds to a plurality of specific products in the POS database, or to use rules to select a product from the plurality of products in response to a request to redeem a first product in the electronic wallet, as recited in claim 37.

Regarding claim 38, an electronic gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a food category that corresponds to a family of specific food products.

Regarding claim 39, an electronic gift certificate where the money is limited to merchandise or services from specified retailer(s), as disclosed in Karas, is different from a category of restaurant menu items that correspond to a plurality of specific restaurant menu items.

Regarding claim 40, Karas discloses rules for verifying identity of the sender 110 or receiver 130, but does not disclose or suggest about rules for selecting a product from the plurality of products in response to a request to redeem a first product in the electronic wallet, in which the rules are specific to at least one of a user who requests to redeem a product, a store where the request to redeem a product originates, a merchant associated a product to be redeemed, or a time when a request to redeem a product is made.

As per Claim 41: **KARAS** teaches: A method comprising: receiving, from a first restaurant point-of-sale terminal, an identifier associated with a customer and information about the customer's order;

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;) see also (" ...the user enters an e-mail address as the unique identifier for the account... ¶61;) see also (" ... any account information on the sender and receiver is stored in the user database ... ¶43;)

storing in an account associated with the customer information about the customer's order;

See at least (" ... any account information on the sender and receiver is stored in the user database ... ¶43;)

receiving, from a second restaurant point-of-sale terminal, the identifier associated with the customer and a request to retrieve the stored order;

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also (" ...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also " ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51)

and providing the stored order to the second restaurant point-of-sale terminal.

(See at least" ...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also " ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51) see also" ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20

Karas does not describe and would not have made obvious receiving, from a first restaurant point-of-sale terminal, an identifier associated with a physical card and information about a customer's order, and storing in an account associated with the card information about the customer's order, as recited in claim 41.

The computer 120 of the sender 110 in Karas is not a restaurant point-of-sale terminal. The eCard disclosed in Karas is also different from a physical card, as recited in claim 41.

As per Claim 42: **KARAS** teaches: A system comprising: a restaurant point-of-sale (POS) terminal comprising a POS database having information about menu items and modifiers or condiments associated with the menu items,

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;) (See also" ...the sender may specify a gift certificate where the money is limited to merchandise or services from specified retailer(s) [menu items from restaurant) ... ¶56) see also ("... any account information on the sender and receiver is stored in the user database ... ¶43;)

a first user interface to enable an operator to store a restaurant order of a customer in an account associated with the customer, the stored restaurant order including specific menu items and modifiers or condiments associated the specific menu items;

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;) (See also" ...the sender may specify a gift certificate where the money is limited to merchandise or services from specified retailer(s) ... ¶56) see also ("... any account information on the sender and receiver is stored in the user database ... ¶43;)

a second user interface to enable the operator to retrieve a stored restaurant order from the account associated with the customer, in which the retrieved restaurant order includes specific menu items and modifiers or condiments associated the specific menu items.

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;) (See also" ...the sender may specify a gift certificate where the money is limited to merchandise or services from specified retailer(s) ...

" ¶56) see also ("... any account information on the sender and receiver is stored in the user database ... " ¶43;)

Karas does not describe and would not have made obvious a restaurant point-of-sale (POS) terminal comprising a POS database having information about menu items and modifiers or condiments associated with the menu items, as recited in claim 42.

Karas discloses a computer 120 that allows a sender 110 or receiver 130 of eCards to interact with an eCard site 140 (paragraph [0020]). The computer 120 in Karas is not a restaurant point-of-sale (POS) terminal, nor does the computer 120 include a POS database having information about menu items and modifiers or condiments associated with the menu items, as recited in claim 42.

The computer 120 of Karas allows a sender 110 to interact with the eCard site 140 and purchase an electronic gift. However, Karas does not disclose or suggest that the computer 120 include a first user interface to enable an operator to store a restaurant order of a customer in an account associated with the customer, the stored restaurant order including specific menu items and modifiers or condiments associated the specific menu items.

The computer 120 of Karas allows a receiver 130 to interact with the eCard site 140 and redeem an electronic gift. However, Karas does not disclose or suggest that the computer 120 include a second user interface to enable the operator to retrieve a stored restaurant order from the account associated with the customer, in which the retrieved restaurant order includes specific menu items and modifiers or condiments associated the specific menu items.

Regarding claim 43, Karas discloses a computer 120 used by a sender to interact with an eCard site 140 to purchase an electronic gift, and a computer 120 to allow a receiver to interact with the eCard site 140 to redeem the electronic gift. However, Karas does not disclose or suggest that the computer 120 used by the sender 110 and the computer 120 used by the receiver 130 belong to different restaurants.

**As per Claim 44: KARAS teaches: A method of operating a stored product card, comprising:
receiving a unique identifier associated with a card and information indicating that one or more products have been pre-paid;**

(See at least " ... Respective computers interface the sender and receiver to the Internet or other wide area network such that they can interact with the eCard site and money transfer system... ¶20 see also" ...A sender of the eCard can select the electronic gift during the eCard creation process. The receiver redeems the electronic gift after receiving it in the card. Electronic gifts could include a credit in a stored value fund, a foreign currency credit in the stored value fund, a prepaid credit or debit card, a prepaid phone card, promotional points, airline mileage credits, a gift certificate for one or more retailers, and a separately delivered negotiable instrument... ¶19;) see also (See at least" ...the user enters an e-mail address as the unique identifier for the account... ¶61;)

receiving a request to add the one or more pre-paid products to an electronic wallet associated with the card;

(See at least" ...the enabler interface produces the form web pages and information web pages to allow the user to create and maintain their account, transfer money, select electronic gifts, and learn to use the system... ¶40;)

receiving the unique identifier and a request to redeem a second product;

(See at least" ...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also" ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51)

verifying that the second product matches one of the one or more pre-paid products in the electronic wallet;

See at least" ... To verify identity, the target merchant would require the e-mail address for the eCard be used to configure an account... ¶51 see also" ¶¶32, 57, see also Claim 5)

and sending approval of redemption of the second product to enable a user to redeem the second product.

(See at least" ...the receiver redeems the electronic gift after receiving it in the card... ¶19 see also" ...the screen may give all the information necessary for redeeming the electronic gift. For example, another button may be presented entitled "redeem your gift certificate" that would forward the user to the target merchant(s) for the gift certificate. To verify identity, the merchant would require the e-mail address for the eCard be used to configure an account... ¶51)

Karas does not describe and would not have made obvious receiving a request to add the one or more pre-paid physical products to an electronic wallet associated with a physical card, receiving a request to redeem a second product, and verifying that the second product matches one of the one or more pre-paid products in the electronic wallet, as recited in claim 44.

Karas discloses using a credit or debit card for payment (paragraph [0029]), but the credit or debit card is not associated with an electronic wallet that stores one or more pre-paid physical products.

Also, in Karas, the electronic gift redeemed by the receiver is the same as the electronic gift purchased by the sender. Karas does not disclose or suggest verifying that the second product matches one of the one or more pre-paid products in the electronic wallet. Karas

discloses four payout examples: payment of money to the stored value fund of the receiver, printing of a negotiable instrument for pick-up at an agent location 500, printing and delivery of a negotiable instrument to a specified address, and delivery of a gift certificate with a targeted retailer (paragraph [0056]). None of the four payout examples involves verifying that the second product matches one of the one or more pre-paid products in the electronic wallet, as recited in claim 44.

Regarding claim 45, the computer 120 used by the sender 110 in Karas is not a point-of-sale terminal.

Regarding claim 46, Karas discloses an online money transfer system 190 that includes handlers 160 to allow a sender 110 or a receiver 130 to add and/or remove money from a payment enabler (paragraph [0023]). Karas does not disclose or suggest transferring money from a first legal entity that owns the first terminal to a second legal entity that owns the second terminal. If the Examiner contends that the computer 120 of the sender 110 corresponds to the first terminal of claim 46, and the computer 120 of the receiver 130 corresponds to the second terminal of claim 46, then Karas does not disclose or suggest transferring money from the sender 110 (who owns the respective computer 120) to the sender 130 (who owns the respective computer 120).

Moreover, Karas does not disclose or suggest that the first and second legal entities are two different legal entities of a franchised organization. If the Examiner contends that the computer 120 of the sender 110 corresponds to the first terminal of claim 46, and the computer 120 of the receiver 130 corresponds to the second terminal of claim 46, then Karas does not disclose or suggest that the sender 110 and the receiver 130 are two different legal entities of a franchised organization, as recited in claim 46.

Regarding claim 47, Karas does not describe and would not have made obvious transferring money from a first legal entity that owns the first terminal to a second legal entity that owns the second terminal based on an actual value or a percentage of the actual value of the redeemed product when the second unique identifier and the request to redeem the second

product are received by the second terminal, wherein the first and second legal entities are two different legal entities of a franchised organization.

Regarding claim 48, Karas does not describe and would not have made obvious receiving messages indicating that the one or more pre-paid products have been added to a check, and performing a check-level reconciliation to confirm that the check has been paid. Karas discloses purchasing and redeeming electronic gifts. The methods for paying for the electronic gifts described in Karas have nothing to do with checks, check-level reconciliation to confirm that the pre-paid products added to the check has actually been paid.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner. Any circumstance in which the applicant has made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims. Any circumstance in which the applicant has amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Applicant : Andrew H. Robbins et al.
Serial No. : 10/766,517
Filed : January 28, 2004
Page : 27 of 27

Attorney's Docket No.: 13214-0003001

Please apply \$648 for excess claim fees and any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: March 10, 2009 _____

/Rex I. Huang _____
Rex I. Huang
Reg. No. 57,661

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945